



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/784,809

02/24/2004

Hiroyuki Yaguchi

00862.017920.

1191

5514

7590

03/15/2007

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

SMITH MAYES, ERICA L

ART UNIT

PAPER NUMBER

2609

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

03/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/784,809

Applicant(s)

YAGUCHI, HIROYUKI

Examiner

Erica Mayes

Art Unit

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 9-12 is/are rejected.
- 7) ☐ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: ____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :05/06/2004, 10/05/2006, and 12/27/2006.

DETAILED ACTION

Claim Objections - 37 CFR 1.75(a)

1. The following is a quotation of 37 CFR 1.75(a):

The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

Claim 9 and 11 are objected to under 37 CFR 1.75(a), as failing to particularly point out and distinctly claim the subject matter which application regards as his invention or discovery.

Claims 9 and 11 are objected to because of the following informalities: The words "a-black-and-white" (at claim 9, line 7) should be changed to "a black-and-white" (at claim 11, line 7) for consistency with claim 9. The phrase "so as"(at claim 9, line 8) should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Katsuhisa (JP 2002247386), Oneda et al. (US6519052 B1) and further in view of Maeda et al. (US 7099036 B2)

Regarding claim 9, Katsuhisa teaches, an image input/output control method for a device ("copying machine" or "facsimile", at paragraph [001]) that performs a compressed image storage step in the case of a non black-and-white copy mode ("at the time of the full color mode, compression processing is performed...", at paragraph [0022]), and an output step of outputting the compressed input image stored in the compressed image storage step ("at the time of full color mode, expanding processing is performed ...and outputs from a frame memory 7", at paragraph [0023]), the method comprising:

an uncompressed image storage step of storing an input image in the memory without compressing the input image in the case of the a-black-and-white copy mode ("at the time of monochrome (or single color) mode ...[an image] is memorized by the frame memory 7", while it has been incompressible", at paragraph [0022] and "when color mode is monochrome mode, a data compression is not performed" at paragraph [0033]); and a control step of performing control so as to output the monochrome image from the memory (" at the time of monochrome (or single color) mode, it outputs RGB data as it is " , at paragraph [0023]).

While Katsuhisa disclose compressed data and data not compressed, Katsuhisa does not disclose compressing an input image using variable length compression to store the compressed input image in a memory. Furthermore, Katsuhisa does not teach to start the output of the stored image while the image is being stored in the memory in the uncompressed image storage step.

Oneda et al. teaches compressing an input image using variable length compression to store the compressed input image in a memory (Figure 1, image data memory 14). ("In the step S16, the system controller 71 sends a command to the image data compressor 12 to compress the input image data by the variable-length data compression method", at column 7, lines 28-31) and ("step S17, the image data memory 14 stores the compressed or non-compressed image data therein", at column 7, lines 46-48).

It would have been obvious at the time of the invention was made to one of ordinary skill in the art to utilize , as the compression method of Katsuhisa, the variable length data compression of Oneda et al., in order to provide a more efficient method of compression and thereby "decreasing an image processing time, at column 3, line 67).

The combination of Katsuhisa and Oneda et al. does not teach start the output of the stored image while the image is being stored in the memory in the uncompressed image storage step.

However, Maeda et al. in the same field of endeavor of color image processing, teaches a control step (Figure 11, Communication Control Portion 500) of performing control to start the output (Figure 11, Spool Control Portion 502) of the stored image (memory 404) while the image is being stored in the memory in the uncompressed image storage step ("The spool control portion 502 spools the image data inputted from the communication control portion 500 to the memory 404 or the recording device 44 (FIG. 7) of the printer apparatus 2.

Further, the spool control portion 502 sequentially notifies data amounts (the unit thereof is same as the anticipatory spool amount) of the image data thus spooled to the cooperation control portion 508.

Further, the spool control portion 502 outputs the spooled image data to the print control portion 510 at the time of printing out the image data. ", at column 15, lines 37-47).

It would have been obvious at the time of the invention was made to one of ordinary skill in the art to utilize the compression circuit (Figure 2, coding network and i.e. figure 7, Example of coding network) required by Katsuhisa that discloses, ("timing with coding process ", at paragraph [0042]) with a print control program and calculation of anticipatory spool for a job attribute to have a spool control portion ("Figure 11, Spool Control Portion 502") of Maeda et al. ("for previously spooling an anticipatory spool amount of image data for rapidly outputting the image data on sheets" , at column 1, line 56-61) and for external equipment and or a program to start the steps of forming an

Art Unit: 2609

image from stored image data when the calculated data amount of an image data is stored.

Regarding claim 10, the image input/output control method according to claim 9, wherein whether to perform either the compressed image storage step or uncompressed image storage step is determined ("It can respond to the color mode of full color and monochrome both", by Katsuhisa at paragraph [0039])

Regarding claim 11, the combination of Katsuhisa, Oneda et al. and Maeda et al. discloses an image input/output control apparatus ("copying machine" or "facsimile", at paragraph [001]) of Katsuhisa for providing the means recited therein, as described in the rejection of claim 9 above.

Regarding claim 12, the combination of Katsuhisa, Oneda et al. and Maeda et al. discloses an image input/output control apparatus ("copying machine" or "facsimile", at paragraph [001]) of Katsuhisa for providing the means recited therein, as described in the rejection of claim 10 above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Which are Maeda et al. US 7,099,036 B2, Oneda et al. US 6,519,052 B1, Tsuji JP 2002247386 A, Tsuji JP 2003165101 A, Kaneko et al. US

Art Unit: 2609


2002/0044298 A1, Hanyu et al. US 6,184,997 B1, Akada et al. US 5,726,762, Sato et al. US 2002/0012474 A1, Hovis et al. US 5,812,817, and Toyama et al. US 6,198,841 B1, Moro US 2004/0095594, Ohga, Manabu EP1085749, Ishigami et al. EP1427183, and Cooper US 6,377,702, Aizawa JP 2001292279 A, Tsuji US 6,259,811.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erica Mayes whose telephone number is (575) 270-1575. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EM
1/26/2007



BRIAN WERNER
SUPERVISORY PATENT EXAMINER